



1052

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8254

UNITED STATES OF AMERICA,

Plaintiff,

v.

Christian CASTELLANOS,

Defendant.

) Magistrate Case No.:  
) COMPLAINT FOR VIOLATION OF  
) 21 U.S.C. § 952 and 960  
) Importation of a Controlled Substance  
) (Felony)

The undersigned complainant being duly sworn states:

That on or about March 18, 2008, within the Southern District of California, defendant Christian CASTELLANOS did knowingly and intentionally import approximately 70.68 kilograms (155.49 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
BRANDON M. WOOD, Special Agent  
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th  
DAY OF MARCH 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Christian CASTELLANOS

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes  
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Brandon  
7 Wood.

8 On March 18, 2008, at approximately 1645 hours, Christian CASTELLANOS  
9 attempted to enter the United States at the Calexico, California East Port of Entry  
10 (POE). CASTELLANOS was the driver and sole occupant of a White 1998 Dodge  
11 Durango with Arizona plate number 360YFS.

12 During pre-primary roving operations, Customs and Border Protection (CBP)  
13 Canine Enforcement Officer (CEO) D. Ragsdale was screening vehicles with his  
14 Narcotics Human Detector Dog (NHDD) when his NHDD alerted to the rear driver's side  
15 tire of the vehicle. CEO D. Ragsdale notified Customs and Border Protection Officer  
16 (CBPO) A. Barnes of the alert.

17 CBPO A. Barnes received a negative Customs declaration from  
18 CASTELLANOS. CASTELLANOS stated that he was on his way to Yuma, AZ.  
19 CASTELLANOS stated that the vehicle he was driving was his. CBPO A. Barnes  
20 requested identification from CASTELLANOS and CASTELLANOS handed CBPO A.  
21 Barnes his Arizona driver's license with his hand trembling. CBPO A. Barnes stated  
22 that he verified that the driver's license photo matched the individual driving the vehicle.  
23 The subject became very nervous and began asking what the officers were doing and  
24 why. CBPO A. Barnes requested CBPO D. Apolinar, who was manning primary lane  
25 #1, send the vehicle to vehicle secondary.

26 CBPO D. Apolinar watched the vehicle as it approached the booth. CBPO D.  
27 Apolinar watched as CASTELLANOS attempted to change lanes into primary lane #4.  
28 CBPO D. Apolinar decided to walk over to primary lane #4 to insure the vehicle was  
29 sent into the vehicle secondary lot. When the vehicle was about ten (10) cars from the

1 booth at primary lane #4, CASTELLANOS absconded into Mexico leaving his vehicle  
2 behind. CBPO D. Apolinar took possession of the vehicle and drove the vehicle into  
3 the vehicle secondary lot.

4 A total of fifty five (55) packages of marijuana were found in the four road tires  
5 and the spare tire. CBPO A. Barnes probed a package from the spare tire and a green  
6 leafy substance was extracted that tested positive for marijuana. The total weight of the  
7 packages was 70.68 kilograms (155.49 pounds).

8 Special Agent (SA) Brandon Wood searched the vehicle and found receipts and  
9 insurance papers in the name of Christian CASTELLANOS. Also found in the vehicle  
10 was a vehicle registration for the vehicle in the name of Christian CASTELLANOS. SA  
11 Brandon Wood made a copy of the driver's license Christian CASTELLANOS left with  
12 CBPO A. Barnes.

13 Special Agent Wood verified that the driver's license number on CASTELLANOS  
14 driver's license was a true driver's license number in Arizona. The name for that  
15 driver's license number was Christian CASTELLANOS with the birth date of  
16 01/05/2004. Special Agent Wood obtained records from the Department of Motor  
17 Vehicles (DMV) that show a picture of CASTELLANOS similar to the photo on the  
18 driver's license he gave CBPO A. Barnes. The DMV records showed that the latest  
19 driver's license was issued on 06/20/2007. The driver's license CASTELLANOS  
20 presented to CBPO A. Barnes was issued on 07/10/2004 and had the birth date of  
21 01/06/1984.

22 At the time of this complaint, Christian CASTELLANOS remains at large.  
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